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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/502,269	07/20/2004	Hsuan-Ming Shih	LPTF03	3966
J C Patents Suite 250 4 Venture Irvine, CA 92618	7590 06/11/2008		EXAMINER PEYTON, TAMMARA R	
			ART UNIT 2182	PAPER NUMBER
			MAIL DATE 06/11/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/502,269	<b>Applicant(s)</b> SHIH, HSUAN-MING
	<b>Examiner</b> Tammara R. Peyton	<b>Art Unit</b> 2182

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 20 May 2008.

2a) This action is FINAL.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-3,6,7,9 and 10 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-3,6,7,9 and 10 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-146/08)  
 Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_

5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 6, 7, 9, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Finn et al., (US 2006/0208066).

As per claims 1 and 7-10, Finn teaches an USB removable memory with replaceable storage medium for optional upgrade and extension of the storage capacity, including an USB connector, a controller (USB chip, Fig. 10) and a replaceable flash memory (Flash smartcard, Fig. 2a, 2b), characterized in that: said USB connector (Fig. Fig. 2a, 2b) and said controller (Figs. 1a, 1b, 1E, [0212-0222]) are integrated as a memory body, and said memory body does not include any built-in flash memory; (See Figs. 1a, 1, 1e) the replaceable flash memory (Flash smartcard, Fig. 2a, 2b), as a physically-independent storage component is memory body; by wherein said replaceable flash memory is placed within a chamber the memory body and the chamber is covered by a dismountable back cover and said replaceable flash memory is electrically connected to the controller for the controller to read from or to write to the flash memory and is electrically connected to the controller

for the controller to read from or to write to the flash memory. Finn teaches a portable USB data storage device without a built in flash memory storage and a connector interface (USB controller) that can attach/detach a flash smart memory card. (Abstract, pages 11-17It would have been obvious to one of ordinary skill that Finn teaches a back cover because Finn teaches FOB slot which Examiner believes is a type of back cover that will obviously protect the Flash smartcard from damage. Further, Finn expressly teaches that the USB device may or maybe include an additional flash memory and Examiner is taking the position that USB device without the flash memory teaches the claim invention.

As per claims 2 and 3, Finn teaches said flash memory part is mounted on the body by means of guide channel and said flash memory part is mounted on the body by means of plug-in connection or elastic fastener connection. (See Figs. 1a, 1, 1e, [0212-0291])

As per claims 6 and 7, teaches the electrical connection between said flash memory part and said controller is elastic tip-touch connection or plug-in connection. (See Figs. 1a, 1, 1e, [0212-0222])

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammara Peyton whose telephone number is (571) 272-4157. The examiner can normally be reached between 6:30 - 4:00 from Monday to Thursday, (I am off every first Friday), and 6:30-3:00 every second Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272- 6729. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272- 2100.

/Tammara R Peyton/

Primary Examiner, Art Unit 2182

June 8, 2008